

DISTRICT V ADVISORY BOARD – DISTRICT V

Minutes

September 11, 2000

Corrected on October 2, 2000

The District V Advisory Board meeting was held at 7:00 p.m. at the Westlink Christian Church, Tenth Street & Tyler Road

Members Present

Bob Bulman
Sean Cash
David Dennis
Maurice Ediger
Fran Hoggatt
Andy Johnson
Margarita LaFarell-Hunt
Vince Miller
Texanita Randle
Bob Sorenson
Bob Martz, Chair/Council Member

City Staff

Donna Goltry, Planning Department
Scott Knebel, Planning Department
Mike Lindebak, Public Works
Jim Armour, Public Works
Dana Brown, City Manager's Office

Members Absent

David Dennis

Guests

Listed on page 9.

Council Member Bob Martz called the meeting to order at 7:03.

The minutes of August 7, 2000 meeting were unanimously approved.

Council Member Martz noted that Agenda Item #10, Jake Brakes, would be postponed until a later date.

Public Agenda

1. No items were presented by citizens for the public agenda.

Planning Agenda

2. Request for zone change – Generally located on west side of Tyler & south of Central
Donna Goltry, Planning, reviewed case ZON2000-00035, a request to change the zone from "SF" Single Family to GO (General Office). The original request was for a change to "NR," Neighborhood Retail, but due to the size required for NR, the request was changed to GO. She noted that commercial areas exist at all major corners of the nearby intersection. The GO zone will restrict the site to Neighborhood Office uses but still allow development of a medical office.

Rob Hartman, Professional Engineering Consultants, agent for the applicant explained that the applicants currently own the southern tract and have a contract to purchase the vacant northern tract. The applicants intend to construct a larger medical office with a retail optical outlet on the two tracts.

Kenneth Long, 427 Tyler and neighbor to the vacant lot, raised several concerns including the need to establish an office at this site when other lots in the area for sale; the adequacy of a landscape buffer; and the existence of restrictive covenants that prevent building an office at the site.

The DAB Members asked questions and made comments regarding the following issues:

- **Almes** asked about the area providing adequate parking; **Goltry** explained that the parking would be restricted but adequate.
- **Bulman** asked how long the lot had been vacant; Goltry stated since 1953.
- **Ediger** asked about other lots; **Hartman** stated that the buyer has a contract on the lot and owns the adjacent lot where his optometry office is located.
- **Bulman** asked if restrictive covenants exist; **Goltry** explained the covenants are private and are not enforced through public means.
- **Miller** noted that a landscape buffer would help separate the residential area from the office.

Bob Nelson, applicant, spoke to the Board explaining that he currently owns the property adjacent to the lot requested for zone change. He stated that he had hoped to utilize the lot several years ago but a previous proposal for rezoning had been rejected. He assured the Board that the plans for an attractive building would compliment the neighborhood. He expressed sympathy for Mr. Long's concerns but stated that his plan to expand his optometry business would not be a typical commercial business with high traffic volume, noting also that the character of Tyler Road had already changed due to traffic increase caused by the recent population increase.

Miller moved to recommend the rezoning request be approved (**Hoggatt**).

Action: The DAB voted 9-0 to recommend approval of the rezoning.

3. Request for zone change – Generally located at northwest corner of Taft & Julia
Scott Knebel, Planning, reviewed case ZON2000-00036, a request to change zone from Single Family (SF-6) to Two Family Residential (TF-3) and Neighborhood Retail (NR). He explained that the surrounding area includes large-scale commercial development to the south including Wal-Mart, and residential on all other sides.

Knebel stated that staff research had found the property to be appropriate for neighborhood retail and medium-density residential use based on the following: 1) existing high traffic volume, noise impact from Mid-Continent Airport, and active marketing of properties along Julia for commercial use would not be conducive for single-family homes; 2) the proposed two-family residential zoning would provide a buffer to the single family homes from commercial development proposed along Julia; 3) density for proposed rezoning is comparable to existing zoning; and, 4) proposed rezoning is appropriate to the high traffic intersections when proper turn lanes are provided, as indicated by the Comprehensive Plan.

Steve Jordan represented his father, Earnest A. Jordan, to explain the intent to develop the site on Julia Street with a commercial center and the site along Brummet Street with duplexes. The platted tract has been owned by the applicant since 1953 and has been marketed for sale for the

past two years. Jordan stated the current plan is to build the duplexes with amenities to attract aging residents.

Several area residents cited their concerns including: 1) issues with rental housing and tenants; 2) preference for only commercial use; 3) high traffic volume encourages use of neighborhood streets for access to major streets; and, 4) traffic issues for elderly tenants.

Several DAB Members expressed the need to develop the area and improve the appearance of the unused property as it now exists. The open area collects trash from nearby businesses.

Randle moved to recommend approval of the rezoning, as requested (Cash).

Action: DAB members voted 8-1 (Ediger) to recommend approval of the request based on the issues below.

4. Request for zone change - located at southeast corner of Second Street & Tyler Road
Scott Knebel, Planning, reviewed ZON2000-00037, a request to change zone from Business (B) to Neighborhood Office (NO), explaining that The site is currently developed with a single-family residence that has been converted into an office for the applicant's dental practice. The structure on the site has been damaged by fire, and the applicant proposes raze the existing structure and redevelop the site with an office center to house the applicant's dental practice as well as offices for other professionals such as accountants, architects, attorneys, etc. The site's current "B" Multi-Family zoning permits offices for medical services but does not permit offices for other professions.

Knebel stated that the surrounding area is characterized by institutional uses to the north and single-family residential uses to the south, east, and west. The property immediately north of the site across 2nd Street North is zoned "SF-6" Single-Family Residential and is developed with Wilbur Middle School. The remaining properties surrounding the site are zoned "SF-6" Single-Family Residential and are developed with single-family residences. One single-family residence across Tyler Road is being used as a beauty shop, apparently as a home occupation.

Several area residents cited their concerns including: 1) limited access on Second Street and associated issues with increase in traffic; 2) safety for school children in the area; 3) no buffer is currently planned; and 4) possibilities for better use of the property.

Raymond Lansdowne, owner/applicant, noted that his planned use of the tract for professional offices would not impact traffic as much as the potential use under the current zoning of multi-family.

DAB Members commented on the following issues: 1) increase in traffic on Tyler Road will most likely continue but the street is scheduled in the CIP for reconstruction in 2007; 2) safety for school children could be addressed with Wichita Public Schools; and, 3) peak times for traffic will only exist in accordance with school and work hours in contract to traffic volume potential for multi-family.

Johnson moved to recommend approval of the rezoning (**Dennis**).

Action: The DAB voted 9-1 (Ediger) to recommend approval of the rezoning.

Public Works Agenda

5. Paving Project for Highway K-42 and Hoover

Mike Lindebak, PW Engineering, presented information regarding a proposed project to pave Hoover, north and south of K-42. He explained that the current asphalt road is two lanes with ditches on both sides and the area tends to flood. It is designated as a “ponding area” by the Corps of Engineers to hold flood waters that cannot flow into the Big Ditch when it’s full of water stated Lindebak.

Lindebak stated that Professional Consulting Engineers (PEC) was hired by the City to address the flooding as the paving project was developed. Because Cessna plans to expand the improvement will be needed to accommodate traffic demands and improve drainage in the area. PEC has developed three options for managing the floodwaters. Lindebak stated that PW staff presented these same options to area property owners previous to the DAB Meeting.

Lindebak presented three options as follows:

- 1) construct a detention area by purchasing properties east of Hoover and north of K-42 and digging a detention pond west of Hoover, complying with the Corp’s request that no development be allowed in the ponding areas. Cost \$6.9 million.
- 2) construct a detention area with a pump station between Hoover and the Big Ditch to handle the extra run-off when the gates are closed. No purchase of property is required. Cost \$6.25 million.
- 3) construct a detention area by purchasing a vacant property of Rand Corp. and the property owned by SealPak and use for detention storage. Build detention also west of Hoover. Other existing properties would remain as they are above elevation. Cost \$4 million.

The paving costs of \$3 million are included in each option above.

Johnson responded that he had previously observed the drainage concerns and the impact on the SealPak property. **Lindebak** stated the new paving would be two feet higher than the existing road. **Johnson** asked if that much elevation might cause more run-off and **Lindebak** stated that the increase was allowed for in the construction proposal. **Bulman** noted that the residential streets are only one foot above the base flood elevation and allow for a 100-year storm. **Lindebak** stated that FEMA regulations affected standards for commercial properties. **Bulman** asked how far north the properties are affected by the drainage; **Lindebak** said the dairy farm north of Pawnee and part of the undeveloped property owned by Rand. **Hoggatt** asked if the costs for the project were to be shared with Cessna. **Lindebak** stated that Cessna had recognized that they would be responsible for a portion of the costs.

Greg Ferris, representing Rand Publishing, spoke about the history of Rand and the plan to utilize the extra lot for expansion. He noted it was not for sale and that it will cost the City

more than speculated in the condemnation. He urged support for the pump station option as the best alternative but stated that Rand was not trying to obstruct Cessna's expansion.

Don Smith, Seal Pak President, spoke about SealPak. He explained that although company is not large, they ship nationwide. According to Smith, SealPak had previously requested a pump station be constructed to better handle the drainage. He noted that the City had previously pumped for 23 consecutive days to prevent flooding of the properties and that percolation from under the Big Ditch is also a factor.

Property owners from the area spoke that drainage and flooding had been a problem for a long time and that an increase in the number of structures increases the run-off. One property owner noted that his property had never flooded but that he was in favor of selling at a reasonable price.

Hoggatt asked if there is a projected timeline for the project; **Lindebak** stated that the project is not included in the present CIP but the CIP is being updated. **Bulman** asked if there wasn't adequate space of the west side of Hoover for detention; **Lindebak** stated that there probably is but that wouldn't eliminate the need for a pump station.

Council Member Martz asked what was required of Board on this item. **Lindebak** responded that three options presented for improving the drainage in association with the paving project should be considered. He then provided a brief summary of each. Lindebak stated that overall Cessna requires Hoover to be increased to five lanes as it expands into the area property.

John Fowler, Cessna, explained the need for Hoover improvements was to handle the increased traffic at shift change due to the increased number of employees at this facility. He added the Cessna expects to hire additional employees as additional expansion is planned for 2002-2003 including several new buildings, parking areas, and aircraft ramps.

Bulman asked Lindebak which option did not require purchase of properties; **Lindebak** stated option #2. **Johnson** noted that two considerations needed focus--the recommendation by the Corps that there be no construction in the ponding area and the City's responsibility to protect the properties from being flooded.

Council Member Martz stated that the Board really needed more detailed information including all costs involved before making a recommendation. In addition, **Martz** stated the CIP update needs to be complete.

Action: Receive and file.

Hoggatt also noted that she attended the earlier meeting with the property owners and felt that staff addressed their issues.

Traffic Agenda

6. No items submitted.

Unfinished Business

7. Report on Cheney Watershed Tour

Board Member Texanita Randle gave a brief overview about the tour attended in July and how the practices being adopted by the farmers were preventing pollution and chemical run-off. As a result, algae blooms had decreased providing better smelling and tasting drinking water for Wichita residents. **Ediger** added that the Water Treatment Plant and its filtering process were very impressive. He also noted that the projects the farmers were conducting were grant funded by the City. **Dennis** also commented on the tour, stating that viewing the projects that contribute to “healthy water” and meeting with the consultants and educators made the tour very worthwhile.

Hoggatt stated that she attended the recent River Symposium and had taken the tour demonstrating additional agricultural and urban approaches to preventing pollution, describing several techniques. She stated it is important for this information to go to the public. At the Symposium, she explained that the bottom line message was that *we have met the enemy and WE are the enemy*. As homeowners, we use too much fertilizer and pesticides that run off into the drainage areas and tributaries causing pollution. **Hoggatt** recognized the featured speaker as a “think outside the box.” In small groups, the participants addressed the issue of “where is the problem?”

Action: Receive and file.

New Business

8. Charitable Solicitations on Public Rights-of-Way

Council Member Martz explained how the issues of safety and citizen complaints have prompted a review of current applicable City ordinances.

Pat Greenway, Make-A-Wish Foundation, spoke about the concerns of not utilizing this approach for collecting donations, causing a potential loss of \$15,000-25,000 annually. The recent Labor Day collection at four store sites was well regulated but their total collection was greatly decreased over past year’s collection in the right-of-ways. Greenway suggested that a permitting process be considered with only organizations who meet specific criteria—501(c) 3 designation; local non-profit; provide proof of insurance—allowed to utilize the right-of-ways for charitable solicitations.

Dennis responded that the item causes a volunteerism and charity versus safety issue. **Hunt** expressed concern about the number of groups that could qualify under the proposed permitting process. **Bulman** stated that he was totally opposed. **Miller** stated that using an Albertson’s or Wal-Mart parking lot is the best setting.

Amber Drecker, Muscular Dystrophy Association (MDA), responded that this year MDA used the parking lot approach for fire fighters to collect. They only collected about 25% of what was collected last year using the right of ways. Drecker said that MDA works with fire fighters on safety and that other groups have caused the problem. She also said that the “Boot Blocks” have been used for the Labor Day collection since 1953.

Miller asked both organization representatives if they had insurance coverage for liability. Both responded yes. **Ediger** asked if accidents had occurred and **Drucker** (MDA) stated that no data existed on accidents; **Greenaway** (Make-A-Wish) stated that none had occurred in the last five years.

Cash asked what portion of the organizations’ fund-raising is generated through this type of collection. Both organizations stated about 4%.

Council Member Martz stated that the DAB wanted to recognize and support the organizations’ efforts but asked how the City could be consistent with the ordinances and allow this type of collection. He stated that safety is the number one issue. He asked that the Council be given an opportunity to work with staff and find some options.

Regina Sinclair, MDA, stated that some other options might be to limit busy intersections to only slow speeds when collection is being conducted, or collect at certain fire stations.

Council Member Martz suggested that maybe signage could be used to direct the public to the collection sites. **Bulman** stated that the organizations must have been aware that the City ordinances existed when the collection method was initiated and they should have found other methods at that point.

Council Member Martz restated the intent to support the organization efforts and that further exploration would be conducted for options. The representatives of the organization thanked the Board and asked that the discussion be kept in mind when the Council makes their decision.

Action: Consider additional options.

9. Jake Brakes - postponed

Board Agenda

10. Community Police Report -none

11. Update on Cowskin Basin Flood Mitigation Study

Council Member Martz provided a brief update to the study and said that a report from the City’s consultants, Black & Veatch, would be given at an upcoming DAB meeting.

Recommendation: Receive and file.

Other

12. Next DAB Meeting on MIS Update

Council Member Martz reminded the Board that next meeting to consider siting of an additional bridge over the Floodway would be held on September 18 at 7:00 p.m., Sedgwick County Extension Building in the 4-H Hall. He stated that the meeting would be open to all residents.

A discussion followed of the information presented at the previous public information meeting. Board Members noted the consultants' recommendations of 13th and 25th bridges; the importance of planning for the future and the growth expected to continue west of the Big Ditch; and the intention to allow 13th Street to remain as is in the Riverside area.

Council Member Martz spoke about the history of the Zoo crossing and how it was developed. Factors that shaped the current situation included that the original funding only allowed for a perpendicular bridge, and the crossing was intended to be a short-term fix until a 30 year bond could be passed to allow for building a bridge across from 13th Street. He stated that two bridges would need to be built to provide adequate crossings for the next 30 years. However, only one bridge is shown in the current CIP with speculated county and federal funding; none is designated at this time from the City.

Council Member Martz explained the planned format for the September 18th meeting: all individuals wishing to ask questions or make comments will sign up; the consultant will present the information; all questions/comments will then be taken from individuals; and answers to each question will then be provided. He asked the Board to decide if they want to make a decision that night or make their recommendation at the October 2nd meeting. He said that once the DABs make their recommendations, the issue will go before the MAPC and then to City Council. Council Member Martz said that he hoped for a final decision of building additional crossings or not.

Dennis suggested that DAB Members hear the consultant information and the public's questions/comments, be open to further feedback, and make the recommendation at the October 2nd meeting. The other members agreed.

The meeting adjourned at 9:40.

Respectfully submitted,

Dana L. Brown
Neighborhood Assistant

Guests

Andy P. Stephens	8999 W. Central, Ste. 101
Robert C. Nelson	8999 W. Central, Ste. 101
John C. Fowler	One Cessna Boulevard
Tony Leis	Leis Dairy
Don H. Smith	SealPak Co., Inc., 2614 S. Hoover
Mike Brand	Brand Plumbing, 2418 S. Hoover
Kenneth Long	427 N. Tyler Rd, 67212
Steve Jordan	P.O. Box 2516, 67201
David Jordan	P.O. Box 2516, 67201
Mike Jordan	P.O. Box 2516, 67201
Gary Gulick	2218 N. Tyler Rd.
Ray Lansdowne	1367 Caddy
Greg Ferris	P.O. Box 573, 67201
Don Leis	6809 S. 103 rd West